

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

David Govan Richardson,)	
)	
Plaintiff,)	
)	Civil Action No. 6:12-3644-RMG
vs.)	
)	
Carolyn W. Colvin, Acting)	
Commissioner of Social Security)	ORDER
Administration,)	
)	
Defendant.)	
)	
)	
)	

Plaintiff has brought this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of the final decision of the Commissioner of Social Security denying his claim for Disability Insurance Benefits. In accord with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 DSC, this matter was referred to a United States Magistrate Judge for pre-trial handling. The Magistrate Judge issued a Report and Recommendation on October 2, 2013 advising the Court that the Commissioner had moved to remand the matter to the agency where the Administrative Law Judge would be instructed to do the following:

1. Provide the Plaintiff with an opportunity to submit additional evidence;
2. Obtain medical expert testimony regarding the nature and severity of Plaintiff's impairments, if warranted and available;
3. Reconsider Plaintiff's RFC and in so doing further evaluate the opinion evidence of Plaintiff's treating sources;
4. Seek supplemental vocational expert testimony, if warranted, to determine whether

there are a significant number of jobs in the national economy Plaintiff could perform;

5. Give Plaintiff an opportunity for a hearing;

6. Issue a new decision.

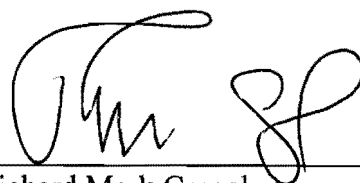
(Dkt. Nos. 23-1, 24).

The Magistrate Judge further advised the Court that he had consulted Plaintiff's counsel and she advised the Magistrate Judge that she did not oppose the motion. (Dkt. No. 24 at 3).

Based upon the foregoing, the Magistrate Judge recommended that the Court grant the Commissioner's motion, reverse the prior decision of the Commissioner and remand the matter pursuant to Sentence Four of 42 U.S.C. § 405(g). (*Id.*).

Having reviewed the Report and Recommendation of the Magistrate Judge, the Commissioner's motion and the administrative record in this matter, the Court hereby ADOPTS the Report and Recommendation of the Magistrate Judge as the order of this Court. The decision of the Commissioner is hereby REVERSED and the matter is REMANDED pursuant to Sentence Four of 42 U.S.C. § 405(g) for further administrative action in accord with the terms set forth in the Commissioner's remand motion.

AND IT IS ORDERED.

A handwritten signature in black ink, appearing to read 'RM Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

October 25, 2013
Charleston, South Carolina